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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

E-FIELD - 11/21/05

ANDREA Z. CHRISTIAN,) CASE NO. C04-2744 RMW
12 PLAINTIFF) DECLARATION, STIPULATION,
13 VS.) AND ORDER
14 LUCILLE PACKARD CHILDREN'S) EXTENDING TIME FOR
HOSPITAL,) FILING THE OPPOSITION AND
15 Defendant.) REPLY AND FOR HEARING
16) THE MOTION FOR SUMMARY
17) JUDGMENT

PRESENT TIME FOR MOTION

Date: December 2, 2005

Time: 9:00 a.m.

Crtrm.: 6

Judge: Hon. Ronald M. Whyte

DECLARATION OF JANE B. MOORE

I, JANE B. MOORE, hereby declare:

1. I am the attorney for the Plaintiff in this case, Andrea Z. Christian. I am the attorney responsible for opposing the motion for summary judgment.
2. I am requesting an extension of time to respond to the motion. I am requesting that

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my opposition be due on November 18, a week after the current due date of November 11. Defendant's reply would then be due on November 25rd. December 9th, with permission from the court, would then be the date for the hearing for the motion.

3. I am unable to meet that deadline because of two (2) events:

a. During the weekend of October 29, when I would have been first reviewing and then outlining my opposition, I was ill with some type of flu. I was unable to begin work on my opposition.

b. Additionally, I was in an automobile accident on October 22. I have soft tissue injuries as a result. I cannot sit for long periods of time, and I am required to spend time in treatment. Both of these factors result in my taking longer to complete my work.

4. I have provided this declaration to Mr. Laurenson, the attorney for the plaintiff.

I declare under penalty of perjury that the above declaration is true and correct and is based upon my personal knowledge. Executed in Berkeley, California.

Date: November 9, 2005

/s/

JANE B. MOORE,
Attorney for Plaintiff

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STIPULATION

Pursuant to FRCivP 6 and Civil L.R. 6-1, 6-2, and 7-12, the parties stipulate, and the Court hereby orders, as follows:

1. Plaintiff has until November 18 to file her opposition to the motion for summary judgment;
2. Defendant has until November 25 to file his reply to Plaintiff's opposition;
3. December 9, at 9:00 a.m., is the date and time for the hearing on Defendant's motion for summary judgment.

Dated:November 9, 2005

/s/

Michael A. Laurenson,
Attorney for Defendant

Dated:November 9, 2005

/s/

Jane B. Moore
Attorney for Plaintiff

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1 ORDER
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THE FOREGOING STIPULATION
IS APPROVED AND IS SO ORDERED.

8 Dated: 11/21/05

/S/ RONALD M. WHYTE

9 Ronald M. Whyte,
U.S. District Court Judge